

UNITED STATES DISTRICT COURT

District of  
MASSACHUSETTS

BOGATIN FAMILY TRUST, Individually  
and on Behalf of All Others Similarly  
Situating,

V.

FIDELITY MANAGEMENT AND RESEARCH  
COMPANY, ET AL.

SUMMONS IN A CIVIL CASE

04 CV 11842 PGS

CASE NUMBER:

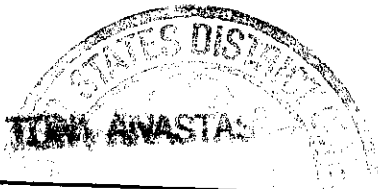
TO: (Name and address of Defendant)

Person Designated to Accept Service  
Fidelity Distributors Corporation  
82 Devonshire Street  
Boston, MA 02109

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

David Pastor  
Gilman and Pastor, LLP  
Stonehill Corporate Center  
999 Broadway, Suite 500  
Saugus, MA 01906

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

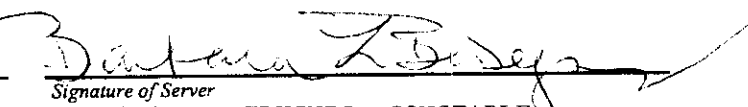


CLERK

(By) DEPUTY CLERK

7-23-04  
DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	JULY 30, 2004
NAME OF SERVER (PRINT) BARBARA L. BEDUGNIS	TITLE	CONSTABLE
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <u>82 DEVONSHIRE STREET, BOSTON, MASS.</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input checked="" type="checkbox"/> Other (specify): <u>BY GIVING SAID COPIES IN HAND TO LAURA THOLEN, DIRECTOR, AND PERSON DESIGNATED TO ACCEPT SERVICE. SAID SERVICE WAS MADE AT FIDELITY DISTRIBUTORS CORPORATION, 82 DEVONSHIRE STREET, BOSTON, MASSACHUSETTS.</u>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL \$11.00	SERVICES \$25.00	TOTAL \$36.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>JULY 30, 2004</u> <div style="text-align: center; font-size: small;">Date</div>	<div style="text-align: center;">   <small>Signature of Server</small>            BARBARA L. BEDUGNIS, CONSTABLE            ZROSCOE, BEDUGNIS &amp; ASSOCIATES            15 COURT SQUARE, SUITE 450            BOSTON, MASSACHUSETTS 02108  <small>Address of Server</small> </div>	

 FIDELITY DISTRIBUTORS CORPORATION  
 82 DEVONSHIRE STREET  
 BOSTON, MASSACHUSETTS 02108

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.